

WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1959

ENROLLED

HOUSE BILL No. 18

(By Mr. Booth of Fayette)

PASSED March 14 1959

In Effect July 1, 1959 Passage



Filed in Office of the Secretary of State
of West Virginia MAR 20 1959
JOE F. BURDETT
SECRETARY OF STATE

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House Bill No. 18
(By MR. BOOTH, of Fayette)

[Passed March 14, 1959; in effect July 1, 1959.]

AN ACT to amend and reenact section four, article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to amount of license tax on dealers in and of nonintoxicating beer.

Be it enacted by the Legislature of West Virginia:

That section four, article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

Section 4. *Amount of License Tax; Class A and Class B*

2 *Retail Dealers.*—There is hereby levied and imposed an
3 annual license tax upon all dealers in and of nonintoxi-
4 cating beer as defined by this article, which license period
5 shall begin on the first day of July of each year and end
6 on the thirtieth day of June of the following year, and if
7 granted for a less period the same shall be computed

8 quarterly in proportion to the remainder of the fiscal year
9 as follows:

10 (a) Retail dealers shall be divided into two classes,
11 class A and class B. In the case of a class A retail dealer
12 the license fee shall be one hundred dollars for each place
13 of business; the license fee for social, fraternal or private
14 clubs not operating for profit, and having been in con-
15 tinuous operation for two years or more immediately pre-
16 ceding the date of application, shall be one hundred dol-
17 lars; and except that railroads operating in this state may
18 dispense nonintoxicating beer upon payment of an annual
19 license tax of ten dollars for each dining, club, or buffet
20 car in which the same is dispensed.

21 Class A licenses issued for social, fraternal or private
22 clubs and for railroad dining, club or buffet cars, as herein
23 provided, shall authorize the licensee to sell nonintoxi-
24 cating beer at retail for consumption only on the licensed
25 premises where sold. All other Class A licenses shall
26 authorize the licensee to sell nonintoxicating beer at
27 retail for consumption on or off the licensed premises.

28 In the case of a Class B retailer, the license fee shall be

29 fifteen dollars for each place of business. A class B
30 license shall authorize the licensee to sell nonintoxicating
31 beer at retail in bottles, cans or other sealed containers
32 only, and only for consumption off the licensed premises.
33 Sales under this license to any person at any one time
34 must be in less quantities than five gallons. Such license
35 may be issued only to the proprietor or owner of a grocery
36 store. For the purpose of this article the term "grocery
37 store" means and includes any retail establishment com-
38 monly known as a grocery store or delicatessen, where
39 food or food products are sold for consumption off the
40 premises.

41 (b) In the case of a distributor the license fee shall be
42 two hundred fifty dollars for each place of business.

43 (c) In the case of a brewer with its principal place of
44 business located in this state, the license fee shall be five
45 hundred dollars for each place of manufacture.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

Win Jasper Jr
Chairman Senate Committee

Eudora Andrews
Chairman House Committee

Originated in the House of Delegates

Takes effect July 1, 1959 passage.

J. Howard McEwen
Clerk of the Senate

C. G. Blankenship
Clerk of the House of Delegates

Ralph W. Bean
President of the Senate

H. R. Paulay
Speaker, House of Delegates

The within approved this the 20th
day of March, 1959.

Jeff Henderson
Governor

